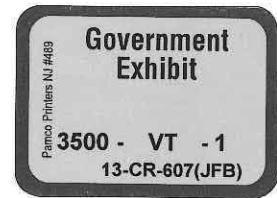




DEPARTMENT OF THE TREASURY
Internal Revenue Service
Criminal Investigation



Memorandum of Interview

Investigation #: 1000259846 Location: FBI Office
Investigation Name: Phillip Kenner 135 Pinelawn Rd.
Melville, NY 11747
Date: September 10th, 2014
December 15, 2014
Time: Approx. 10:50 AM
Participant(s): Vincent Tesoriero, Witness
Joshua R Wayne, Special Agent, IRS
Matthew Galioto, Special Agent, FBI

1 year after the
Kenner indictment

On the above date and time Special Agents Wayne and Galioto met with Vincent Tesoriero (Tesoriero). Agents met with Tesoriero on two separate occasions. Unless otherwise noted, all statements were stated to the Agents on September 10th 2014.

1. Tesoriero resides at [REDACTED] His date of birth is [REDACTED]
[REDACTED] His cell phone number is [REDACTED] and his home
phone number is [REDACTED]
2. Tesoriero met John Kaiser when they worked together as housing police officers in New York. Kaiser went on to be a Suffolk County Policeman and Tesoriero went to work for the Fire Department in New York (FDNY).
3. Tesoriero retired from the FDNY in May of 2004. Tesoriero received a lump sum payment of \$700,000 from Victim's Compensation's Fund regarding the September 11th, 2001 attacks on the World Trade Center.

SAG HARBOR DEAL

4. Kaiser mentioned to Tesoriero about an investment property in Sag Harbor, New York. Kaiser had a \$70,000 retainer on the property. Chris Manfredi, Tom Milana, John Kaiser and Tesoriero met to discuss the property. The purchase price of the property was \$700,000. Tesoriero and Milana each put \$350,000 for a total of \$700,000 for the purchase of the Sag Harbor property.

This is the first time Tesoriero invested with John Kaiser (Stated on 12/15/2014).

5. Kaiser used \$30,000 of the retainer money for the closing costs of the Sag Harbor Property. Kaiser withdrew the remaining \$40,000 from the original retainer. Tesoriero knows this because it was in the closing documents.
6. Manfredi and Kaiser were going to fund the build for the Sag Harbor property. Kaiser's brothers and Tesoriero were going to build the property.

Kaiser told the EDNY in 2015 that he was not aware that Berard was involved in the Ledbetter deal -- only Kenner -- Kenner never met Tesoriero until years after the deal occurred.

7. Kaiser gave Tesoriero \$50,000 back out of the \$350,000 originally put in the Sag Harbor deal. The \$50,000 was paid back by one \$25,000 check given to Tesoriero and Kaiser paid \$25,000 to build a retaining wall at Tesoriero's home.

8. Kaiser told Tesoriero that they needed to get Manfredi out of the Sag Harbor deal and that PHIL KENNER and Bryan Berard were coming in the deal. In November, 2006 Ledbetter is created (Ledbetter would own Sag Harbor) The Sag Harbor deal was closed on with KENNER, Berard, Kaiser and Tesoriero. Tesoriero stated he was not at the closing. Tesoriero found out some time after the closing that Berard came up with the money for the closing and KENNER never put money in the deal. KENNER's role in the Sag Harbor deal would be to raise money to build the property. At the time of the closing Tesoriero did not know where money came from. Thomas Milana was bought out of the Sag Harbor deal. Tesoriero signed documents that stated he was 25% owner in the Sag Harbor deal.

Kenner had not met Tesoriero at the time of the October 2006 deal...

9. Tesoriero stated that he has never spoken to Berard. Tesoriero was under the assumption from the start of the "Ledbetter deal", Berard and KENNER were coming into the deal. Tesoriero received the Ledbetter agreement from only Kaiser.

10. Kaiser told Tesoriero that by the time they sell, Tesoriero would make \$300,000 to \$400,000 on the Sag Harbor deal. Nothing ever happened with the Sag Harbor property. Kaiser told Tesoriero that he had a buyer and that Berard and himself (Kaiser) wanted to sell.

11. The Sag Harbor property was sold for \$740,000. For the sale of the property Tesoriero got \$150,000 check and a \$93,000 check. Tesoriero took a loss because of the 3 closings and the tax on the property.

Kaiser told the 2105 court that he never saw the operating agreement -- which he apparently gave Tesoriero

HAWAII PROJECT

12. In the summer of 2006, Kaiser asked Tesoriero for a loan from Tesoriero. Tesoriero believed the loaned money would be used to buy property in Hawaii. Tesoriero wired \$100,000 from his account to an account he believed was in the name Big Isle Ventures. Tesoriero was not aware of who had control of the account. Tesoriero has no documentation of this other than the wire. For the loan, Tesoriero would get 10% interest. Tesoriero believes he got \$10,000 from Kaiser in either cash or check.

On December 15th, 2015, Tesoriero's recollection was refreshed when he was shown a wire transfer on 8/8/2006 for \$150,000 from Tesoriero's account at Sovereign Bank to an account called Kau Holdings at Northern Trust. The investment was for a Hawaii project. The money was to be used to purchase land and develop property in Hawaii. Tesoriero's friend Jim Cody also invested in the Hawaii project.

Kaiser and Berard fully recovered their investment after the fraudulent sale by Kaiser and Berard...

Kenner was also not repaid for his \$28,500 tax payment in 2010 and/or the 25% equity Kaiser and Berard fraudulently stole from Kenner in 2011 with a forged signature on a fabricated document...all in EDNY evidence and turned over early and specifically in BINDER-### from the government as evidence they planned early to use against Kenner until they realized that their two STAR witnesses had been part of multiple real estate frauds against Kenner and many others...since they began their Mexico employment...

13. Tesoriero's parents invested \$150,000 with Kaiser to build properties. \$150,000 for an 18 month investment. Tesoriero's parents got back \$5,000. Tesoriero gave his parents \$150,000 because he told his parents to invest with Kaiser. The \$150,000 Tesoriero paid back to his parents came from money from the sale of the Sag Harbor property.

On December 15th, 2014, Tesoriero further recalled that Tesoriero's parents gave Kaiser a check for \$150,000. Tesoriero stated that the money was a loan and Tesoriero's parents were to receive 10% interest for 18 months. (On the memo line of the check it states "investment")

14. Kaiser told Tesoriero, instead of Kaiser giving Tesoriero his \$100,000 back for the loan, Kaiser would sell Tesoriero [REDACTED] to Tesoriero and Kaiser would take \$100,000 off the purchase price. Prior to purchasing the property, Tesoriero lived at [REDACTED] and was paying Kaiser's mortgage on the property. In around October of 2008, Tesoriero bought the property from Kaiser for \$300,000. The original sale price of the property was \$400,000. Kaiser took \$100,000 off the purchase price for repayment of the loan. Tesoriero took a \$300,000 mortgage from Wells Fargo for the purchase of [REDACTED]
15. Kaiser saw KENNER at Kaiser's 40th birthday party. He also saw KENNER at Hermoso Beach, and stayed at KENNER's house when Tesoriero did work on the Paradise Valley house (an investment property for Kaiser). Tesoriero did not invest in the Paradise Valley house.
16. On December 15th, 2014, Tesoriero stated that he was never asked to invest in the Palms Condos in Las Vegas, NV.

I began preparing this memorandum on December 15th 2014, after refreshing my memory from notes made during and immediately after the interview with Vincent Tesoriero.

Joshua R. Wayne E

Joshua R Wayne
Special Agent